

United States District Court

JUL 20 2016

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

v.

Edgar Eremi Amaro-Garza PRINCIPAL
YOB: 1983
the United Mexican States

CRIMINAL COMPLAINT

Case Number:

M-16- 1366 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 19, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Wilfredo Esau Ixpatac-Arevalo, citizen and national of Guatemala and Oscar Leonel Acosta-Rodriguez, citizen and national of Honduras, along with one (1) other undocumented alien, for a total of three (3), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Edinburg, Texas to the point of arrest near Edinburg, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 19, 2016 Border Patrol Agent (BPA) Soto observed a grey Ford Fusion on mile 17 1/2 Rd. driving east bound and riding extremely low in the rear and displaying temporary paper tags. The area is notoriously known for alien smuggling. BPA Soto followed the vehicle at a safe distance and notified other agents of the direction of travel. Just before the vehicle reached Mile 19 Road it sped up, made an abrupt right turn, and continued east. Agents lost sight of the vehicle as it turned south into a brushy area. BPA Cervantes then proceeded to the last location the vehicle was seen and found the vehicle abandoned.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

Yes No


Signature of Complainant

Gustavo Balderas Senior Patrol Agent

Printed Name of Complainant

McAllen, Texas

City and State


Signature of Judicial Officer

Sworn to before me and subscribed in my presence,

July 20, 2016

Date

Peter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16- 1364 -M

RE: **Edgar Eremi Amaro-Garza**

CONTINUATION:

BPA Cervantes and BPA Ramirez with the assistance from the Hidalgo County Constables Office Pct. 4 and CBP air support, searched the area and apprehended a total of 4 subjects.

The subjects were interviewed as to their immigration status and all subjects claimed to be in the United States illegally. They were all placed under arrest and read their Miranda Rights.

All subjects were transported to the Weslaco Border Patrol Station for interview and case preparation.

Through interviews it was determined that Edgar Eremi Amaro-Garza was the driver of the vehicle.

Principal

Edgar Eremi AMARO-Garza was read his Miranda Rights. He understood his rights and provided a statement without the presence of a lawyer.

Amaro stated that he picked up three subjects at the Academy store parking lot located on Trenton Road. He was going to take them to a store called Grano De Oro on Monte Cristo Road, and drop them off with an unknown subject. He was offered \$25 USD per person to transport the subjects. He accepted the offer because he needed money, however, he has not been paid.

Material Witnesses

Wilfredo Esau IXPATAC-Arevalo and Oscar Leonel ACOSTA-Rodriguez were read their Miranda Rights. They understood their rights and provided a sworn statement without the presence of an attorney.

Wilfredo Esau IXPATCA-Arevalo, a citizen of Guatemala, stated that his uncle made the smuggling arrangements. His uncle was charged \$3000 USD. He crossed the river illegally on July 19, 2016 with nine other persons. After making their way to a warehouse, they called the driver to pick them up. He was picked up and taken to a store; where he was transferred to a silver four door car. Afterwards, they drove to a brushy area where the driver told them to hide. The driver told them he would come back for them later because immigration was after them. Moments later the driver came back running and told them to run. They did, until they were arrested by Border Patrol.

Wilfredo Esau IXPATAC-Areval identified AMARO through a photo lineup as the driver of the silver four door car.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16- 1366 -M

RE: Edgar Eremi Amaro-Garza

CONTINUATION:

Oscar Leonel ACOSTA-Rodriguez, a citizen of Honduras, a friend made the smuggling arrangements. He paid \$1,500 USD and needed to pay an additional \$3,000 USD when he arrived to the United States. Subject stated that he crossed the river illegally on July 18, 2016 with 3 other persons. Subject stated that they walked for approximately 6 hours. They were picked up taken to several locations transferred from car to car. Acosta identified Edgar Eremi AMARO-Garza as the driver of the vehicle that picked him up at a store and took him an area with brush. AMARO told him to hide in the brush and wait until he returned with a different vehicle. Amaro walked away, moments later Amaro returned and told him and the others to run. They ran and then were arrested by Border Patrol. He described AMARO as a tall and skinny man with a mustache and short hair.